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211 WEST FORT ST.
SUITE 1410
DETROIT, MICHIGAN 48226-3236
PHONE: 313-963-5553
FAX: 313-963-5571
WWW.ADBMICH.ORG

FINAL NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITION

Case No. 03-137-GA

Notice Issued: March 12, 2007

Dennis W. Reid, P 37363, Sandusky, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #108.

1. Suspension - 1 Year
2. Effective April 26, 2004¹

The hearing panel found that respondent failed to deliver funds received from a client to a third person as instructed by the client; misappropriated the client's funds; failed to deposit the client's funds in an IOLTA account; and made two false statements in his answer to the request for investigation served by the Grievance Administrator. Respondent's conduct was in violation of MCR 9.104(A)(1)-(4) and (6); MCR 9.113(A); and Michigan Rules of Professional Conduct 1.15(a) and (b); 8.1(a)(1); and 8.4(a)-(c).

The hearing panel ordered that respondent's license be suspended for one year and that he pay restitution in the amount of \$3,000.00. The Grievance Administrator filed a petition for review seeking an increase in discipline. The Board remanded the matter to the panel for a supplemental opinion reciting the reasons for the panel's imposition of a one-year suspension. The panel filed its supplemental opinion and the Board, upon further review, affirmed the hearing panel's order of suspension.

The Grievance Administrator then filed an application for leave to appeal with the Supreme Court and, in lieu of granting leave, the Supreme Court remanded the matter to the Board for reconsideration.

Upon consideration of the hearing panel's supplemental opinion, including the panel's clarification that neither respondent's misappropriation nor his false statements were intentional as that term is used in the ABA Standards for Imposing Lawyer Sanctions, the Attorney Discipline Board issued its order affirming the hearing panel's original order. Total costs were assessed in the amount of \$2,758.58.


John F. Van Bolt

Dated: **MAR 12 2007**

¹ Respondent filed a petition for reinstatement which was granted by the Attorney Discipline Board and became effective October 26, 2005. See Notice of Reinstatement issued November 2, 2005.